

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHNNY GUILTY,

Plaintiff,

-against-

CITY OF NEW YORK, *et al.*,

Defendants.

19-CV-8152 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff initially brought this action against the City and State of New York. But in the original pleading, he did not assert any facts. Accordingly, the Court dismissed the complaint under 28 U.S.C. § 1915(e)(2)(B)(ii), (iii), with 30 days' leave to replead. (ECF No. 5; order of dismissal issued on 10/15/2019.) Plaintiff then filed an amended complaint, but he again failed to assert any facts. As such, the Court dismisses the amended complaint for failure to state a claim.

**CONCLUSION**

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. Plaintiff's amended complaint, filed *in forma pauperis* under 28 U.S.C. § 1915(a)(1), is dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: November 27, 2019  
New York, New York



COLLEEN McMAHON  
Chief United States District Judge